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Proposed Attorney for Roy Babitt, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

ERIC RIEDMAN,

Debtor.

Chapter 7

Case No. 06-12892 (MG)

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**APPLICATION OF ROY BABITT, TRUSTEE, TO
RETAIN ARENT FOX LLP AS ATTORNEY TO THE TRUSTEE**

TO: HONORABLE MARTIN GLENN,
UNITED STATES BANKRUPTCY JUDGE

The application of Roy Babitt, Chapter 7 Trustee (the “Applicant” or the “Trustee”) of the estate of Eric Riedman (the “Debtor”), respectfully sets forth and alleges:

1. On December 1, 2006, the Debtor filed a voluntary petition for relief pursuant to section 301 of Chapter 7 of Title 11, United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York.

2. Applicant was appointed Trustee, has duly qualified and is acting in that capacity.

3. The Trustee conducted the meeting of creditors pursuant to section 341 of the Bankruptcy Code. Based on the section 341 meeting, and subsequent due diligence, the Trustee has determined there are assets that can be liquidated for the benefit of creditors including a promissory note held by the Debtor. The Debtor has agreed to amend his bankruptcy schedules to reflect assets that were initially omitted. None of the Debtor’s assets involve a personal injury case. The Trustee contacted Arent Fox

LLP (“Arent Fox”) to further provide legal advice on these matters and such other matters as may arise during the course of this representation.

4. The Trustee desires to retain Arent Fox as counsel to the Trustee and the Debtor’s estate to render legal services *nunc pro tunc* to April 1, 2007 related to this Chapter 7 case for the following purposes:

- a. To provide legal advice with respect to his powers and duties as the Trustee of the Debtor’s estate;
- b. To prepare any and all necessary legal documents in this case;
- c. To prosecute litigation and contested matters as necessary;
- d. To retain professionals on an “as needed” basis;
- e. To examine and evaluate all proofs of claim in the case;
- f. To represent the Trustee in all matters before this Court; and
- g. To perform any and all other legal services for the Trustee which may be necessary.

5. It is in the best interest of the Debtor’s estate and its economical administration that Arent Fox be authorized to act as counsel to the Trustee and the Debtor’s estate.

6. The Trustee selected Arent Fox because the members and associates of Arent Fox have considerable expertise in the field of bankruptcy, primarily debtor and creditor rights and trustee matters in cases under Chapter 7 and 11 of the Bankruptcy Code.

7. Schuyler G. Carroll will be primarily responsible for Arent Fox’s representation of the Trustee in this matter. Mr. Carroll is a partner in Arent Fox’s Bankruptcy Group and for over fourteen years has concentrated in bankruptcy and insolvency business law. Mr. Carroll has written articles and lectured on bankruptcy topics, such as business bankruptcy issues, bankruptcy litigation, valuations and fraudulent conveyances. Mr. Carroll received his J.D. from the St. John’s University School of Law (*cum laude*) where he was a member of the St. John’s Law Review and received his B.A. from the State University of New York at Binghamton.

8. Arent Fox is a “disinterested person” as that phrase is defined in section 101(14) of the Bankruptcy Code and Arent Fox does not hold or represent any interest adverse to the Applicant or the Debtor’s estate with respect to the matters for which it is being retained, except as set forth in the Declaration of Mr. Carroll, and the employment of Arent Fox is necessary and in the best interests of the Debtor’s estate.

9. No previous application for the relief sought herein has been made to this or any other court, except as described herein.

WHEREFORE, Applicant requests that Arent Fox be retained and employed as attorney for the Trustee and the estate, *nunc pro tunc* to April 1, 2007 with compensation for such legal services to be paid as an administrative expense in such amounts as this Court may hereafter determine and allow and other further relief as may be just and proper.

Dated: New York, New York
May 16, 2007

By: /s/ Roy Babitt
ROY BABITT (RB-4555)
Chapter 7 Trustee
c/o Anderson Kill & Olick
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New York, NY 10020